

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

**MARY PHILLIPA SLEDGE, MARY JANE
PIDGEON SLEDGE TRUST, and PIDGEON SLEDGE FAMILY
LIMITED PARTNERSHIP**

Plaintiffs,

v.

Civ. 2:13-cv-2578

**INDICO SYSTEM RESOURCES, INC. and
CLEAL WATTS, III**

Defendants.

REPORT OF PARTIES' PLANNING MEETING

1. The following persons participated in a Rule 26(f) conference on December 29, 2014 by telephone:
 - a. Anthony C. Pietrangelo and Darrell N. Phillips, counsel for Plaintiffs; and
 - b. Bruce McMullen, counsel for Defendants.
2. Initial Disclosures. The parties will complete the initial disclosures required by Rule 26(a)(1) by January 30, 2015.
3. Discovery Plan.
 - a. Discovery will be needed on these subjects:
 - i. Defendants' history of importing and refining gold dust;
 - ii. Defendants' history of managing third-party investments;
 - iii. Defendants' communications and relationships with third-parties relative to the alleged gold investment;
 - iv. Defendants' communications with Plaintiffs relative to the alleged gold investment;
 - v. The roles played, if any, by any third-parties in the alleged gold investment;
 - vi. Defendants' receipt and distribution of Plaintiffs' funds;
 - vii. The veracity of Defendants' representations relative to delays and challenges arising during the course of the alleged gold investment;

- viii. The location of funds diverted internationally and the location/identity of international witnesses;
 - ix. Plaintiffs' damages;
 - x. Plaintiffs' investment history; and
 - xi. Any matter permitted by FRCP which relates to the claims or defenses of either party.
 - b. The parties discussed the need for, and the existence of electronically stored information. There is a minimum amount of relevant electronically stored information (e-mails, claim notes, etc.), and all relevant information will be produced in hard-copy or electronic form on disc in PDF, whichever is more practical, with costs borne by the disclosing party.
 - c. If privileged or protected information is inadvertently produced, the producing party may, by timely notice, assert the privilege or protection and obtain the return of the materials without waiver.
 - d. Discovery will commence after the scheduling conference scheduled for January 16, 2015. Discovery will be completed on November 12, 2015.
 - e. The maximum number of interrogatories and requests for admission and due dates and maximum number of depositions, as well as the length of depositions, will be governed by the Federal Rules of Civil Procedure. The parties have agreed that nothing in this report shall prohibit a party's right to petition the Court for an expansion or extension of the limitations set forth in the rules.
 - f. Plaintiff will name experts and provide disclosures under Rule 26(a)(2) by September 14, 2015. Defendants will name experts and provide disclosures under Rule 26(a)(2) by October 13, 2015. Supplementation under Rule 26(e)(2) shall be provided by November 12, 2015.
4. Other items.
- a. The parties propose the following deadlines:
 - i. MOTIONS TO JOIN PARTIES: filed by [March 17, 2015].
 - ii. MOTIONS TO AMEND PLEADINGS: filed by [March 17, 2015].
 - iii. MOTIONS TO DISMISS: filed by [April 16, 2015].
 - iv. COMPLETING ALL DISCOVERY: by [November 12, 2015].
 - 1. WRITTEN DISCOVERY: by [October 13, 2015].
 - 2. DEPOSITIONS: by [November 12, 2015].

3. EXPERT WITNESS DEPOSITIONS: by [November 12, 2015].

v. MOTIONS TO EXCLUDE EXPERTS UNDER F.R.E. 702/DAUBERT MOTIONS: by [November 27, 2015].

vi. FILING DISPOSITIVE MOTIONS: by [December 12, 2015].

- b. Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection is waived.
- c. This case should be set for a non-jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. The parties anticipate the trial may last more than ten (10) days.
- d. The parties will engage in ADR before the close of discovery. Pursuant to Local Rule 16.2(d), within 7 days of completion of ADR, the parties will file a notice confirming that the ADR was conducted and indicating whether it was successful or unsuccessful, without disclosing the parties' respective positions at the ADR.
- e. The parties do not consent to trial before the Magistrate Judge.

Respectfully submitted,

Date: January 12, 2015

/s/ Darrell N. Phillips
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Date: January 12, 2015

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this ___th day of _____, a copy of the foregoing electronically filed document was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party.

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/s/ Darrell N. Phillips